



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2794

Introduced 1/28/2010, by Sen. Gary Forby

SYNOPSIS AS INTRODUCED:

430 ILCS 55/3	from Ch. 127 1/2, par. 1003
625 ILCS 5/1-105	from Ch. 95 1/2, par. 1-105
625 ILCS 5/3-808.1	from Ch. 95 1/2, par. 3-808.1

Amends the Hazardous Material Emergency Response Reimbursement Act and the Illinois Vehicle Code. Removes civil defense from and adds law enforcement or police services, emergency mortuary services, including the duties of a county coroner or medical examiner, and emergency management to the list of entities considered an emergency response agency under the Hazardous Material Emergency Response Reimbursement Act. Amends the definition of an authorized emergency vehicle in the Illinois Vehicle Code to include vehicles of a municipal or county emergency services and disaster agency. Provides that permanent vehicle registration plates shall be issued, at no charge, to county or municipality owned vehicles operated by or for any emergency services or disaster agency or any county coroner or designated county coroner.

LRB096 19656 AJT 35053 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning emergency services.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Hazardous Material Emergency Response
5 Reimbursement Act is amended by changing Section 3 as follows:

6 (430 ILCS 55/3) (from Ch. 127 1/2, par. 1003)

7 Sec. 3. Definitions. As used in this Act:

8 (a) "Emergency action" means any action taken at or near
9 the scene of a hazardous materials emergency incident to
10 prevent or minimize harm to human health, to property, or to
11 the environments from the unintentional release of a hazardous
12 material.

13 (b) "Emergency response agency" means a unit of local
14 government, volunteer fire protection organization, or the
15 American Red Cross that provides:

- 16 (1) firefighting services;
- 17 (2) emergency rescue services;
- 18 (3) emergency medical services;
- 19 (4) hazardous materials response teams;
- 20 (5) (Blank). ~~civil defense~~;
- 21 (6) technical rescue teams; ~~or~~
- 22 (7) mass care or assistance to displaced persons; ~~or~~
- 23 (8) law enforcement or police services;

1 (9) emergency mortuary services, including the duties
2 of a county coroner or medical examiner; or
3 (10) emergency management.

4 (c) "Responsible party" means a person who:

5 (1) owns or has custody of hazardous material that is
6 involved in an incident requiring emergency action by an
7 emergency response agency; or

8 (2) owns or has custody of bulk or non-bulk packaging
9 or a transport vehicle that contains hazardous material
10 that is involved in an incident requiring emergency action
11 by an emergency response agency; and

12 (3) who causes or substantially contributed to the
13 cause of the incident.

14 (d) "Person" means an individual, a corporation, a
15 partnership, an unincorporated association, or any unit of
16 federal, State or local government.

17 (e) "Annual budget" means the cost to operate an emergency
18 response agency excluding personnel costs, which include
19 salary, benefits and training expenses; and costs to acquire
20 capital equipment including buildings, vehicles and other such
21 major capital cost items.

22 (f) "Hazardous material" means a substance or material in a
23 quantity and form determined by the United States Department of
24 Transportation to be capable of posing an unreasonable risk to
25 health and safety or property when transported in commerce.

26 (g) "Panel" means administrative panel.

1 (Source: P.A. 93-159, eff. 1-1-04; 94-96, eff. 1-1-06.)

2 Section 10. The Illinois Vehicle Code is amended by
3 changing Sections 1-105 and 3-808.1 as follows:

4 (625 ILCS 5/1-105) (from Ch. 95 1/2, par. 1-105)

5 Sec. 1-105. Authorized emergency vehicle. Emergency
6 vehicles of municipal departments or public service
7 corporations as are designated or authorized by proper local
8 authorities; police vehicles; vehicles of the fire department;
9 vehicles of a HazMat or technical rescue team authorized by a
10 county board under Section 5-1127 of the Counties Code;
11 ambulances; vehicles of the Illinois Emergency Management
12 Agency; mine rescue emergency response vehicles of the
13 Department of Natural Resources; ~~and~~ vehicles of the Illinois
14 Department of Public Health; and vehicles of a municipal or
15 county emergency services and disaster agency, as defined by
16 the Illinois Emergency Management Agency Act.

17 (Source: P.A. 96-214, eff. 8-10-09.)

18 (625 ILCS 5/3-808.1) (from Ch. 95 1/2, par. 3-808.1)

19 Sec. 3-808.1. (a) Permanent vehicle registration plates
20 shall be issued, at no charge, to the following:

21 1. Vehicles, other than medical transport vehicles,
22 owned and operated by the State of Illinois or by any State
23 agency financed by funds appropriated by the General

1 Assembly;

2 2. Special disability plates issued to vehicles owned
3 and operated by the State of Illinois or by any State
4 agency financed by funds appropriated by the General
5 Assembly.

6 (b) Permanent vehicle registration plates shall be issued,
7 for a one time fee of \$8.00, to the following:

8 1. Vehicles, other than medical transport vehicles,
9 operated by or for any county, township or municipal
10 corporation.

11 2. Vehicles owned by counties, townships or municipal
12 corporations for persons with disabilities.

13 3. Beginning with the 1991 registration year,
14 county-owned vehicles operated by or for any county sheriff
15 and designated deputy sheriffs. These registration plates
16 shall contain the specific county code and unit number.

17 4. All-terrain vehicles owned by counties, townships,
18 or municipal corporations and used for law enforcement
19 purposes when the Manufacturer's Statement of Origin is
20 accompanied with a letter from the original manufacturer or
21 a manufacturer's franchised dealer stating that this
22 all-terrain vehicle has been converted to a street worthy
23 vehicle that meets the equipment requirements set forth in
24 Chapter 12 of this Code.

25 5. Beginning with the 2001 registration year,
26 municipally-owned vehicles operated by or for any police

1 department. These registration plates shall contain the
2 designation "municipal police" and shall be numbered and
3 distributed as prescribed by the Secretary of State.

4 6. Beginning with the 2011 registration year, county or
5 municipality owned vehicles operated by or for any
6 emergency services or disaster agency, as defined by the
7 Illinois Emergency Management Agency Act. These
8 registration plates shall contain the designation
9 "emergency management" and shall contain the phone number
10 of the Illinois Emergency Management region in which the
11 agency is located. These registration plates shall be
12 numbered and distributed as prescribed by the Secretary of
13 State.

14 7. Beginning with the 2011 registration year, county or
15 municipality owned vehicles operated by or for any county
16 coroner or designated county coroner. These registration
17 plates shall contain the designation "coroner" and shall be
18 numbered and distributed as prescribed by the Secretary of
19 State.

20 (Source: P.A. 94-619, eff. 1-1-06; revised 11-4-09.)